

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:11-CV-273-MOC-DCK**

**WILOLA WILSON-KLEIN,**

**Plaintiff,**

**v.**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security,**

**Defendant.**

**ORDER**

**THIS MATTER IS BEFORE THE COURT** on Plaintiff's "Petition For Attorney's Fees And Costs" (Document No. 17) filed May 2, 2012. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion, the record, and applicable authority, the undersigned will deny the motion.

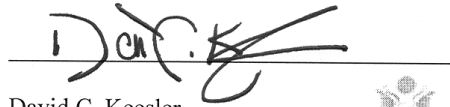
It appears to the Court that Plaintiff has failed to meet the requirement of consultation pursuant to the Local Rules. Although Plaintiff's motion states that "[p]ursuant to Local Rule 7.1(B), Plaintiff's counsel has provided Defendant's counsel with a draft copy of this Petition and supporting memorandum and affidavit," the undersigned does not find that providing draft copies of a petition or motion satisfies the requirements of the Rule. Instead, Plaintiff's counsel is expected to confer with opposing counsel in an attempt to resolve any areas of disagreement, and to inform the Court what, if any, issues remain unresolved. See Local Rule 7.1 (B).

**IT IS, THEREFORE, ORDERED** that Plaintiff's "Petition For Attorney's Fees And Costs" (Document No. 17) is **DENIED WITHOUT PREJUDICE**. Plaintiff may re-file her motion in a manner consistent with the Local Rules that informs the Court whether Defendant consents to the

motion, and if not, what issues the parties have been unable to agree on.

**SO ORDERED.**

Signed: May 4, 2012

A handwritten signature in black ink, appearing to read 'D.C. Keesler', is written over a horizontal line.

David C. Keesler  
United States Magistrate Judge

